

3 the words, "Iowa state commerce commission" and inserting in lieu  
 4 thereof the words, "reciprocity board established under the provisions  
 5 of section three hundred twenty-one point fifty-six (321.56)" and by  
 6 striking from line ten (10) thereof the word, "commission" and in-  
 7 serting in lieu thereof the word, "board".

Approved May 14, 1957.

## CHAPTER 170

### CONTRACT CARRIERS

#### H. F. 469

AN ACT to amend section three hundred twenty-seven point one (327.1), Code 1954, relating to the clarification of the term contract carrier.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Section three hundred twenty-seven point one (327.1),  
 2 Code 1954, is amended by striking all of that part of subsection  
 3 one (1) which follows the word "under" in line ten (10) thereof and  
 4 by substituting therefor the following: "an individual written con-  
 5 tract."

1 SEC. 2. Section three hundred twenty-seven point one (327.1),  
 2 subsection five (5), is hereby stricken and the following enacted in  
 3 lieu thereof:

4 The term "contract carrier" shall mean any person who does not  
 5 hold out to the general public to serve it indiscriminately and who, for  
 6 compensation, engages in the business of transportation of property  
 7 by motor truck under individual written contracts, thereby providing  
 8 a special and individual service required by the peculiar needs of a  
 9 particular shipper, but does not include, (1) a motor carrier as defined  
 10 in chapter three hundred twenty-five (325), (2) a truck operator, or  
 11 (3) a person whose transportation by motor vehicle is in furtherance  
 12 of a private enterprise other than the business of transportation for  
 13 others for compensation.

14 The term "individual written contract" shall mean an agreement  
 15 in writing between a contract carrier and a shipper, effective for a  
 16 duration of at least three months, imposing mutual obligations to  
 17 tender freight and perform transportation, and specifying the charges.  
 18 The presence of goods originating from more than five (5) shippers  
 19 on one vehicle at any one time shall be prima facie evidence that the  
 20 carrier is a motor carrier and not a contract carrier.

1 SEC. 3. Any person, firm, or corporation may obtain a permit to  
 2 engage as a contract carrier in this state in the transportation of  
 3 agricultural limestone, aggregates such as sand, gravel, crushed or  
 4 broken stone, and all other materials for road or bridge construction  
 5 or reconstruction projects, by filing with the Iowa state commerce  
 6 commission an application therefor. No proof of need for service,  
 7 nor public convenience or necessity shall be required of such appli-  
 8 cant; there shall be no limitation on the number of individual con-  
 9 tracts, oral or written, permitted and no tariff or schedule of rates

10 or charges shall be required. The commission shall issue such permit  
 11 when the applicant has paid all fees required by this chapter, and  
 12 complied with the provisions of section three hundred twenty-seven  
 13 point fifteen (327.15) relating to insurance protection. The holder  
 14 of such permit shall in all cases comply with the safety rules and regu-  
 15 lations provided for by this chapter and shall pay all annual permit  
 16 fees required of other contract carriers and such permits shall, after  
 17 due hearing, be subject to revocation for violation thereof.

1 SEC. 4. This Act being deemed of immediate importance shall be  
 2 in force and effect from and after its passage and publication in The  
 3 Lockridge Times, a newspaper published at Lockridge, Iowa, and in  
 4 The Fayette County Union, a newspaper published at West Union,  
 5 Iowa.

Approved May 29, 1957.

I hereby certify that the foregoing Act, House File 469, was published in The Lock-  
 ridge Times, Lockridge, Iowa, June 6, 1957, and in The Fayette County Union, West  
 Union, Iowa, June 6, 1957.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 171

### MOTOR CARRIERS OF LIQUID PRODUCTS

#### S. F. 167

AN ACT relating to the control and regulation of motor carriers of liquid products in  
 bulk and to amend section three hundred twenty-one point four hundred twenty-  
 three (321.423), Code 1954.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Definitions of words and phrases. The following words  
 2 and phrases, when used in this Act, will for the purpose of this Act,  
 3 have the following meanings respectively ascribed to them.  
 4 1. "Liquid transport carrier" shall mean any person engaged in  
 5 the transportation, for compensation, of liquid products in bulk upon  
 6 any highway in this state.  
 7 2. "Person" shall mean any individual, association, partnership,  
 8 firm or corporation.  
 9 3. "Vehicle" shall mean any self-propelled vehicle, any trailer,  
 10 semi-trailer, or other device used in connection therewith not operated  
 11 upon fixed rails or tracks, equipped with one or more cargo tanks, or  
 12 between fixed termini or over a regular route and used for the trans-  
 13 portation of liquid products in bulk.  
 14 4. "Transportation for compensation" shall, in addition to all pub-  
 15 lic transportation, also include transportation primarily for others  
 16 by a person, not a distributor licensed under chapter three hundred  
 17 twenty-four\* (324), even though as an incident thereto he buys the  
 18 liquids at the point where the transportation originates and sells it at  
 19 a delivered price at destination and, except as otherwise provided,  
 20 shall include transportation for others by a distributor licensed under  
 21 chapter three hundred twenty-four\* (324), or liquid products not

\*Words supplied by editor, §3.1.